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22 Co-Lead Counsel for Plaintiffs

23 [Additional counsel appear on signature page.]

24 UNITED STATES DISTRICT COURT

25 NORTHERN DISTRICT OF CALIFORNIA

26 In re OPENWAVE SYSTEMS, INC.)	Master File No. C-06-03468-SI
27 SHAREHOLDER DERIVATIVE)	
28 LITIGATION)	STIPULATION AND [PROPOSED] ORDER
)	CONTINUING HEARING DATE AND
)	BRIEFING SCHEDULE
29 This Document Relates To:)	
30)	
31 ALL ACTIONS.)	
32)	

1 WHEREAS, on February 5, 2007, the Court entered an Order (the “February Order”) setting
2 forth a briefing schedule by which nominal defendant Openwave Systems, Inc. (“Openwave”) and
3 the Individual Defendants would file motions to dismiss plaintiffs’ Consolidated Verified
4 Shareholder Derivative Complaint;

5 WHEREAS, the February Order also set a hearing date of March 30, 2007 for Openwave’s
6 and the Individual Defendants’ motions to dismiss and a Case Management Conference;

7 WHEREAS, pursuant to the February Order, Openwave and the Individual Defendants filed
8 motions to dismiss and a request for judicial notice and Openwave filed a motion to stay discovery
9 on February 9, 2007;

10 WHEREAS, pursuant to the February Order plaintiffs’ responses to Openwave’s and the
11 Individual Defendants’ motions are due on March 9, 2007;

12 WHEREAS, the relief sought by the motions requires that plaintiffs address numerous
13 complex legal and factual issues; and

14 WHEREAS, the parties have met and conferred and have agreed, subject to Court approval,
15 to continue the hearing date and modify the briefing schedule.

16 THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the parties
17 through their respective counsel of record as follows:

18 1. Plaintiffs’ oppositions to Openwave’s and the Individual Defendants’ pending
19 motions shall be filed on or before March 16, 2007;

20 2. Openwave’s and the Individual Defendants’ replies shall be filed on or before March
21 30, 2007;

22 3. The parties shall file a Joint Case Management Conference Statement on April 19,
23 2007; and

4. The hearing on the motions to dismiss, the motion to stay discovery and the Case
Management Conference shall be held at 9:00 a.m. and 2:30 p.m. respectively on 4/27/07
10:00 a.m. on April 26, 2007, or such later date convenient
for this Court.

IT IS SO STIPULATED.

DATED: March 9, 2007

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I, Benny C. Goodman III, am the ECF user whose ID and password are being used to file this
Stipulation and [Proposed] Order Continuing Hearing Date and Briefing Schedule. In compliance
with General Order 45, X.B., I hereby attest that Lee H. Rubin has concurred in this filing.

DATED: March 9, 2007

MAYER BROWN ROWE & MAW LLP
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s/ Lee H. Rubin
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Stipulation and [Proposed] Order Continuing Hearing Date and Briefing Schedule. In compliance
with General Order 45, X.B., I hereby attest that Amy S. Park has concurred in this filing.

DATED: March 9, 2007

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s/ Amy S. Park
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1 I, Benny C. Goodman III, am the ECF user whose ID and password are being used to file this
2 Stipulation and [Proposed] Order Continuing Hearing Date and Briefing Schedule. In compliance
with General Order 45, X.B., I hereby attest that Paul Collins occurred in this filing.

3 DATED: March 9, 2007

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6 s/ Paul Collins
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10 Attorneys for Nominal Defendant Openwave
Systems, Inc.

11 * * *

12 **ORDER**

13 PURSUANT TO STIPULATION, IT IS SO ORDERED.

14 DATED: _____

15 
THE HONORABLE SUSAN HESTON
UNITED STATES DISTRICT JUDGE

16
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CERTIFICATE OF SERVICE

I hereby certify that on March 9, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on March 9, 2007.

s/ Benny C. Goodman III
BENNY C. GOODMAN III

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

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